

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor, if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

BIOCOMPATIBLE MATERIAL WITH A NOVEL FUNCTIONALITY

and for which a patent application:

- ☐ is attached hereto (and includes amendment(s) filed on _____ (if applicable))
☒ was filed in the United States on August 17, 2001 as Application Serial No. 09/913,944,
with amendment(s) filed on _____ (if applicable)
☒ was filed as PCT International Appln. No. PCT/DK00/00065 on February 17, 2000 and was amended under PCT Article 19 on October 26, 2000 and April 11, 2001 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, U.S.C. § 119 (a)-(d) or (f) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application on this invention filed by me or my legal representatives or assignees and having a filing date before that of the application on which priority is claimed.

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
PA 1999 00210	DENMARK	17 February 1999	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
PCT/DK00/00065	WIPO	17 February 2000	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Daniel A. Devito (32,125), Edward V. Filardi (25,757), David W. Hansen (38,910), Constance S. Huttner (35,903), Ronald S. Laurie (25,431), Robert B. Smith (28,538), Bruce C. Anderson (46,519), Robert B. Beyers (46,552), Meir Y. Blonder (40,517), Ian R. Blum (42,336), John L. Dauer, Jr. (39,953), Jose Esteves (41,011), Michael D. Fabiano (44,675), Stacey J. Farmer (42,526), Di Jiang-Schuerger (44,806), Frederick D. Kim (38,513), Thomas R. Lane (42,718), Daniel J. Lin (47,750), Douglas R. Nemec (41,219), Guy Perry (46,194), Constance F. Ramos (47,883), Andrew F. Strobert (35,375), Todd J. Tiberi (37,455), Joseph Yang (41,387), and Matthew B. Zisk (45,257), all of Skadden, Arps, Slate, Meagher & Flom LLP, whose address is Four Times Square, New York, NY 10036.

SEND CORRESPONDENCE TO: Skadden, Arps, Slate, Meagher & Flom LLP
Four Times Square
New York, NY 10036
PTO Customer No. 26137

DIRECT TELEPHONE CALLS TO:
Robert B. Smith
212-735-3020

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1-00	FULL NAME OF INVENTOR	Last Name THOM	First Name VOLKMAR	Middle Name	
	RESIDENCE AND CITIZENSHIP	City CHELMSEFORD	State or Foreign Country MASSACHUSETTS	Country of Citizenship GERMANY	MA
	POST OFFICE ADDRESS	Street 164 MILL ROAD	City CHELMSEFORD	State or Country MA	Zip Code 01824

Signature of Inventor

Date **Dec 7, 2001**

2-00	FULL NAME OF INVENTOR	Last Name JONSSON	First Name GUNNAR	Middle Name	
	RESIDENCE AND CITIZENSHIP	City VAERLOESE	State or Foreign Country DENMARK	Country of Citizenship DENMARK	DKX
	POST OFFICE ADDRESS	Street HOEJELOFTVAENGE 134	City VAERLOESE	State or Country DENMARK	Zip Code DK-3500

Signature of Inventor

Date **29-11-2001**

3-00	FULL NAME OF INVENTOR	Last Name ULBRICHT	First Name MATHIAS	Middle Name	
	RESIDENCE AND CITIZENSHIP	City BERLIN	State or Foreign Country GERMANY	Country of Citizenship GERMANY	DEX
	POST OFFICE ADDRESS	Street LANDSBERGER ALLEE 89	City BERLIN	State or Country GERMANY	Zip Code D-10407

Signature of Inventor

Date **Dec 3, 2001**

4-00	FULL NAME OF INVENTOR	Last Name JANKOVA	First Name KATJA	Middle Name	
	RESIDENCE AND CITIZENSHIP	City BURGAS	State or Foreign Country BULGARIA	Country of Citizenship BULGARIA	BGX
	POST OFFICE ADDRESS	Street KOMPL. LAZUR TODOV KABLESHKOV STR. 12 B, 11	City BURGAS	State or Country BULGARIA	Zip Code BG-8001

Signature of Inventor

Date **29-11-2001**

5-00	FULL NAME OF INVENTOR	Last Name ALTANKOV	First Name GEORGE	Middle Name	
	RESIDENCE AND CITIZENSHIP	City SOFIA	State or Foreign Country BULGARIA	Country of Citizenship BULGARIA	
	POST OFFICE ADDRESS	Street JOLIOT CURIE 75, BL. 313	City SOFIA	State or Country BULGARIA	Zip Code BG-113

Signature of Inventor

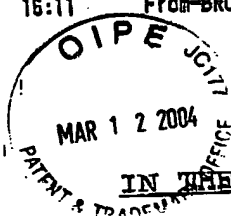
Date **Dec 3, 2001**

Mar-08-2004 16:11

From BROWDY NEWMARK

2027373528

T-158 P.003/008 F-690



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

THOM, et al.

Serial No.: 09/913,944

Filed: December 19, 2001

For: BIOCOMPATIBLE MATERIAL
WITH A NOVEL
FUNCTIONALITY

Art Unit:

Examiner:

Washington, D.C.

Docket No.: THOM-1

Confirmation No.: 5897

DECLARATION OF JOSEPHINE HARDY

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

I hereby declare:

1. In December, 2001 I was a legal assistant employed by Skadden, Arps, Slate, Meagher & Flom LLP.

2. I have reviewed the attached response to notification of missing requirements, which was directed to the above identified application.

3. The response bears a certificate of mailing under rule 1.8. The signature on it is my signature.

4. The response in question was deposited with the U.S. Postal Service as first class mail, with sufficient postage, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231, on December 19, 2001.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may

BEST AVAILABLE COPY

Mar-08-2004 16:12

From-BROWDY NEIMARK

2027373528

T-158

P.004/008

F-880

USSN - 09/913,944

jeopardize the validity of the application or any patent issued thereon.


Josephine Hardy

3/8/2004
Date

G:\ipc\g-1\hoib\Thom1\decl.josephinehardy.wpd

BEST AVAILABLE COPY